

03.11.2022.  
Court No.13  
Item No. 52  
pk

**W.P.A. No. 17610 of 2022**  
**Sriparna Banerjee**  
**Versus**  
**State of West Bengal and others**

Mr. Rahul Chakraborty

...For the petitioner.

Ms. Chama Mukherjee,  
Mr. J. Guptu

...For the State.

The petitioner's uncle Mr. Tripti Kumar Mukherjee is missing since the year 2002. The petitioner's elder brother Sudipta Mukherjee has renounced the world and has become a monk.

There is a family dispute between the parties. The petitioner has lodged a complaint in respect of her missing uncle for the first time in 2022.

This Court is of the view that the complaint is belated. Notwithstanding the above, Khardah Police Station are taking steps to trace out the petitioner's uncle.

This Court does not find any inaction on the part of the police. One cannot lose sight of the fact that a person been missing for more than seven years, in terms of the Section 108 of the Evidence Act is presumed dead.

Be that as it may, Khardah Police Station may take appropriate steps to trace out or ascertain the

whereabouts of the missing person, Mr. Tripti Kumar Mukherjee.

With the aforesaid observations, the writ petition is disposed of.

The instructions of the O. C., Khardah Police Station is taken on record.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***